

LEAVE

SUBPART A

DEFINITIONS

Act

Section 205.(a) The days of leave provided for in this title shall mean days upon which an employee would otherwise work and receive pay, and shall be exclusive of holidays, and all nonworkdays established by Federal statute or by Executive or Administrative Order.

Regulations

Section 30.101.(a) "Act" as used in this part means the Annual and Sick
(2) Leave Act of 1951, as amended.

(d) (b) "Accumulated annual leave" means the unused annual leave remaining to the credit of the employee at the beginning of the first complete pay period occurring in any calendar year.^{1/}

(g) (c) ^{The term} "Agency" or "agency head" means "the heads or governing bodies" of the various Governmental agencies.

(f) (d) "Contagious disease" means a disease ruled as subject to quarantine or requiring isolation of the patient by the health authorities having jurisdiction.

(b) (e) "Employee" and "employees" includes officer and officers, respectively.

(h) (f) "Leave year" means the period from the beginning of the first complete pay period in the calendar year to the beginning of the first complete pay period in the following calendar year. However, the 1953 leave year began immediately following the last complete pay period in 1952.^{1/}

^{1/} Amended September 23, 1953, effective July 2, 1953.

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(g) "Medical certificate" means a written statement signed by a registered practicing physician or other practitioner, certifying to the period of disability of the patient while he was undergoing professional treatment.

(h) "Pay period" shall include biweekly, semimonthly, or other pay period when used in these regulations.

(i) "Terminal leave" means leave granted under administrative authority when it is known in advance that an employee is to be separated without a return to duty.

(j) "United States" means the several States of the United States of America and the District of Columbia.

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HOME LEAVE

Regulations*New*

Section 30.601. Definitions. As used in this subpart, the term:

(a) "Creditable service" means service abroad by an employee subject to paragraph 203(f) of the Act, and includes any authorized absence with pay and absence in a nonpay status not in excess of two workweeks. This service begins with the date of the employee's arrival at a post outside the United States, or on the date of his entrance on duty if recruited abroad, and ends on the date of the employee's departure from the post for separation or for assignment in the United States, or upon his separation from duty in case of recruitment abroad.

(b) "Home leave" means leave authorized by paragraph 203(f) of the Act and earned by service abroad for use in the United States, in the Commonwealth of Puerto Rico, or in the possessions of the United States.

(c) "Initial service period" means a 24-month period of continuous creditable service abroad in a position subject to paragraph 203(f) of the Act.

(d) "Month" means a period which runs from a given day in one month through the day preceding the numerically corresponding day in the next month.

(e) "Service abroad" means service as a employee of any agency of the Federal Government at a post of duty outside the United States or outside the employee's place of residence if his residence is the Commonwealth of Puerto Rico or any one of the possessions of the United States.

BASIC PROVISIONS

Act

Section 203(f). Upon completion of twenty-four months of continuous service outside the United States, officers and employees may be granted, in accordance with regulations of the President, leave of absence at a rate not to exceed one week for each four months of such service without regard to any other leave provided by this title, for use in the United States, or, if their respective places of residence are outside the area of employment, in the Commonwealth of Puerto Rico or the possessions of the United States.

Regulation

Section 30.602. Eligibility. An employee subject to the Act is eligible to earn home leave under this subpart when

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- (1) He is a citizen or national of the United States;
 - (2) His presence in a place outside the United States shall be fairly attributable to his employment by the United States; and
 - (3) His presence at such place must not be fairly attributable to reasons other than employment by the United States or by United States firms, interests, or organizations.

Section 30.603. Entitlement. This subpart and the provisions of section 203(f) of the Act shall be applied in determining an employee's entitlement to home leave.

Section 30.604. Earning Rates. (a) For each 12 months of service abroad, home leave shall accrue as follows provided the conditions of eligibility under section 30.602 are met:

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(1) An employee who accepts as a condition of initial or continued employment with his agency an obligation to accept assignments anywhere in the world whenever the needs of the agency dictate shall accrue 15 days' home leave.

(2) An employee who is appointed to a U. S. Mission to a Public International Organization shall accrue 15 days' home leave.

(3) An employee who is serving at a post for which payment of a post or territorial differential of 20 percent or more is authorized by law or regulation shall accrue 15 days' home leave.

(4) An employee, not included in paragraph (1), (2), or (3), who is serving at a post for which payment of a post or territorial differential of at least 10 percent but less than 20 percent is authorized by law or regulation shall accrue 10 days' home leave.

(5) An employee, not included in paragraph (1), (2), (3), or (4), shall accrue five days' home leave.

(b) Home leave shall be credited to an employee's leave account, as earned, in multiples of one day.

Section 30.605. Computation of Home Leave. (a) An employee shall earn home leave for each month of creditable service under the rates fixed by paragraph (a) of section 30.604 in the amounts set forth in the following table:

Home Leave-Earning Table

Months of Service	Accrual Rate (days for each 12 months)		
	15	10	5
	Days Earned		
1	1	0	0
2	2	1	0
3	3	2	1
4	5	3	1
5	6	4	2
6	7	5	2
7	8	5	2
8	10	6	3
9	11	7	3
10	12	8	4
11	13	9	4
12	15	10	5

(b) When an employee moves between different leave-earning rates before completion of a full month of creditable service, he shall be credited with the amount of accrual for the full month at the accrual rate to which he was entitled prior to the change in his accrual rates.

Act

Section 203(f) *** Such home leave so granted may be accumulated for future use without regard to the limitation in subsection (d) of this section but no such leave shall be made the basis for any terminal leave or for any lump-sum payment.

Regulation

Section 30.606. Transfer and Recredit. (a) Transfer. An employee's home leave balance shall be transferred when he moves between agencies without a break in service of one workday.

(b) Recredit. An employee's home leave balance shall remain to his credit for use if he returns to service abroad and becomes subject to paragraph 203(f) of the Act without a break in service in excess of 30 days.

(c) Use of recredited leave. Home leave recredited from prior service shall not be used until the required initial service period is completed.

(d) Effective date. Home leave shall be recredited under this section only to employees transferred or reemployed on or after the effective date of this subpart.

Section 30.607. (a) Grant of home leave. An agency may, in its discretion, grant home leave for use in the United States, the Commonwealth of Puerto Rico or possessions of the United States, or grant a combination of home leave and other leaves of absence, in accordance with established agency policy.

(b) Charging of leave. The minimum charge for home leave shall be one day.

Section 30.608. Special request. (a) Agency action. When the head of an agency determines that the conditions of employment at a post of assignment do not meet the requirements for an accrual rate provided by this subpart because unusual conditions are present which seem to make such rate inapplicable, the head of the agency may request the Commission to approve a special rate for this post of assignment.

Note

The proposal should include full information bearing on the employment situation and should give the basis on which the head of the agency believes a special rate is needed.

(b) Commission action. Upon approval of a special accrual rate for an agency for service abroad at a post of assignment, such rate shall apply to all employees entitled to home leave who are assigned by the agency to such post and meet the special conditions for that rate.

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